

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listing, of the claims in the application:

**Listing of Claims:**

1. (Currently Amended) A terminal condition control method comprising a plurality of terminals and a server apparatus controlling conditions of the terminals, and controlling conditions of the terminals, wherein:

the terminals are connected to the server apparatus through a communication line and transmit information indicating the conditions of the terminals,

the server apparatus statistically processes the attained conditions of the terminals,

the plurality of terminals have timings of informing the server apparatus of the condition determined for the respective terminals, and said server apparatus sets the next timings for the respective terminals to transmit the information indicating the conditions of the terminals to the server so that said next timings are distributed within a predetermined period.

2. (Original) The terminal condition control method according to claim 1, wherein the distribution of the condition informing timings for the plurality of terminals is set within a month by date assignment.

3. (Original) The terminal condition control method according to claim 1 or 2, wherein the distribution of the condition informing timings for the plurality of terminals can be changed.

4. (Original) The terminal condition control method according to claim 2, wherein in the distribution of the condition informing for the plurality of terminals, the date assignment is performed such that users assigned on the same date as the condition informing timings of the terminals are uniformly distributed in accordance with at least one of items including age, sex, viewing inclination, hobby, occupation, and address.

5. (Currently Amended) A server apparatus comprising:

communication means capable of being connected with a plurality of terminals through a communication line;

receiving means for receiving condition information from the terminals;

terminal information analyzing means for analyzing the received condition information;

and

communication controlling means for controlling communication operation performed by the communication means,

wherein regarding the plurality of terminals, the communication controlling means defines the next timings of transmitting conditions of the terminals to the server apparatus for the terminals at the time when said terminal communicate with said server apparatus and sets said next the condition informing-timings of transmitting conditions of the terminals to be distributed in a predetermined period of time.

6. (Currently Amended) A terminal comprising:

communication means capable of being connected with a server apparatus through a

communication line; and

condition information generation means for generating condition information including  
~~downloading information of a software about the terminal~~ software download status information,  
that indicates whether a software download to the terminal succeeds;

wherein the terminal is connected to the server apparatus by the communication line to transmit the condition information to the server apparatus, and the terminal receives instruction from the server apparatus to set ~~its own~~ the next timing of transmitting the condition information transmitting timing so that the instruction is defined in a manner that the timings for the terminal and other terminals to transmit the condition information to the server apparatus are distributed within a predetermined period.

7. (Currently Amended) A server apparatus comprising:

a condition information receiving section for receiving from a plurality of terminals condition information indicating conditions of the plurality of terminals each having a receiving section for receiving broadcasting; and

a statistic processing section for statistically processing a plurality of condition information received by the condition information receiving sections, wherein the server apparatus defines the next timings of transmitting conditions of the terminals to the server apparatus for the terminals at the time when the terminals communicate with the server apparatus and sets the next timings to be distributed in a predetermined period of time.

8. (Currently Amended) The server apparatus according to claim 7, further comprising:

an operation condition maintaining section for maintaining an operation condition ~~as-a condition, associated with a predetermined operation, which is~~ for executing ~~a~~ the associated predetermined operation;

an operation controlling section for controlling the predetermined operations;

a determining section for determining whether or not the result of the statistic process by the statistic processing section meets the operation condition maintained by the operation condition maintaining section; and

an operation executing section for ~~taking out the operation controlled by the operation condition controlling section to execute the operation, when the operation condition is met in the determining section~~ determining section determines an operation condition is satisfied, fetching a predetermined operation, which is associated with the satisfied operation condition, and executing the fetched predetermined operation.

9. (Original) The server apparatus according to claim 7, wherein the condition information includes information indicating success/failure of downloading of a software from a broadcasting station to the terminals, and the statistic processing section calculates a rate of success/failure of downloading of software from the plurality of condition information received by the condition information receiving section.

10. (Original) The server apparatus according to claim 7 or 8, wherein the condition information includes information indicating success/failure of downloading of software from a broadcasting station to the terminals and information concerning attributes of the terminals, and the statistic processing section calculates a rate of success/failure of downloading of software for

each of the attributes from the plurality of condition information received by the condition information receiving section.

11. (Original) The server apparatus according to claim 7 or 8, wherein the condition information includes information indicating viewing of a specific program in the terminals, and the statistic processing section calculates an audience rating of the specific program from the plurality of condition information received by the condition information receiving section.

12. (Original) The server apparatus according to claim 7 or 8, wherein the condition information includes information indicating use of a specific function in the terminals, and the statistic processing section calculates using a rate of the specific function from the plurality of condition information received by the condition information receiving section.

13. (Original) The server apparatus according to claim 7 or 8, wherein the condition information includes information indicating whether or not the terminals are being connected to the server apparatus, and the statistic processing section calculates connection condition of the terminals from the plurality of condition information received by the condition information receiving section.

14. (Original) The server apparatus according to claim 9, further comprising:  
an operation condition maintaining section for maintaining a downloading stopping condition having a predetermined rate of success/failure of downloading of software;  
an operation controlling section for controlling an operation for stopping the

downloading of software;

a determining section for determining whether or not the result of the statistic process by the statistic processing section meets the downloading stopping condition maintained by the operation condition maintaining section; and

an operation executing section for taking out the downloading stopping operation maintained by the operation condition maintaining section to execute the operation when the downloading stopping condition is met in the determining section.

15. (Original) The server apparatus according to claim 11, further comprising an advertising rate calculating section for calculating an advertising rate of a specific program with use of the audience rating calculated by the statistic processing section as a parameter.

16. (Original) The server apparatus according to claim 11, further comprising a program editing information generating section for generating program editing information in accordance with the audience rating.

17. (Original) A terminal comprising a transmitting section for transmitting condition information to be statistically processed by the server apparatus according to claim 7 or 8.

18. (Currently Amended) A terminal condition control method comprising:  
a condition information receiving step of receiving from a plurality of terminals condition information indicating conditions of the plurality of terminals each having a receiving section for receiving broadcasting; and

a statistic processing step of statistically processing a plurality of condition information received in the condition information receiving step; and

a timing setting step for setting each terminal of the condition information receiving step to the next timings for transmitting condition information of the plurality of terminals so that the next timings for transmitting conditions are distributed in a predetermined period of time.

19. (Currently Amended) The terminal condition control method according to claim 18, further comprising:

a determining step for determining whether or not the result of the statistic process by the statistic processing step meets an operation condition maintained in advance; and

an operation executing step for ~~taking out the~~ fetching an operation controlled in advance to execute the operation when ~~determination~~ the operation condition corresponding to the fetched operation is determined to be satisfied in the determining step meets the operation condition.